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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Delaney Nelson,

10 Plaintiff,

11 v.

12 David Shinn, et al.,

13 Defendants.
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No. CV-22-01318-PHX-MTL (ESW)

ORDER

15 Before the Court is the Report and Recommendation of the Magistrate Judge (“R &
16 R”) (Doc. 34) recommending that Defendant Hofer be dismissed without prejudice.
17 Plaintiff has not filed any objections to the R & R.

18 In reviewing an R & R, the Court “may accept, reject, or modify, in whole or in part,
19 the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).
20 “[T]he district judge must review the magistrate judge’s finding and recommendations de
21 novo if objection is made, but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d 1114,
22 1121 (9th Cir. 2003) (en banc) (emphasis in original); *see Thomas v. Arn*, 474 U.S. 140,
23 149 (1985) (finding that the District Court need not conduct “any review at all . . . of any
24 issue that is not the subject of an objection”). No objections having been received, the Court
25 will accept and adopt the R & R in its entirety.

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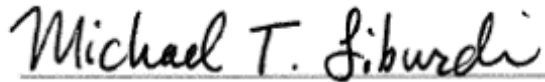
28 . . .

1 Accordingly,

2 **IT IS ORDERED** that the Report and Recommendation (Doc. 34) is **accepted**.

3 **IT IS FURTHER ORDERED** that Defendant Hofer is dismissed from this case
4 **without prejudice**.

5 Dated this 24th day of May, 2023.

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8 Michael T. Liburdi
9 United States District Judge
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